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OFFICE OF PETITIONS

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PTO/SB/64 (11-03)

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)

Docket Number (Optional)
1505-0106

First named inventor: Byron J. Slater

Application No.: 09/995,844

Art Unit: 2858

Filed: November 28, 2001

Examiner: To be assigned

Title: Utility Meter Using Temperature Compensation

Attention: Office of Petitions

Mail Stop Petition

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

FAX: (703) 308-6916

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus an extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee --required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

☐ Small entity-fee \$ _____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

☒ Other than small entity - fee \$ 1,330.00 (37 CFR 1.17(m))

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in

the form of Response to Notice to File Missing Parts (identify type of reply):

- ☐ has been filed previously on _____
☒ is enclosed herewith.

B. The issue fee and publication fee (if required) of \$ _____.

- ☐ has been paid previously on _____
☐ is enclosed herewith.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

3. Terminal disclaimer with disclaimer fee

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE. The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))].

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

09/22/04
Date


Signature

Telephone

Number: (317) 638-2922

Harold C. Moore

Typed or printed name

111 Monument Circle, Suite 3000

Address

Indianapolis, Indiana 46204-5115

Address

Enclosures: ☒ Fee Payment

☐ Reply

☐ Terminal Disclaimer Form

☐ Additional sheets containing statements establishing unintentional delay

☒ Other: Executed Declaration and Power of Attorney

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

☒ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: **Mail Stop Petition**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

☐ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 308-6916.

9/22/04
Date


Signature

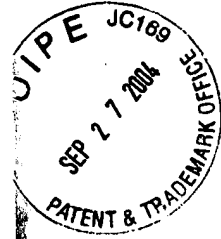
Harold C. Moore

Reg. 32,892

Type or printed name of person signing certificate

#4

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

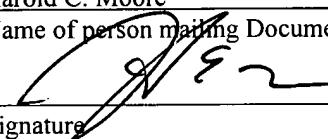


Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on September 22, 2004
(Date of Deposit)

Harold C. Moore

Name of person mailing Document or Fee


Signature

September 22, 2004

Date of Signature

| | | |
|-----|-----------------|---|
| Re: | Application of: | Slater et al. |
| | Serial No.: | 09/995,844 |
| | Filed: | November 28, 2001 |
| | For: | Utility Meter Using Temperature Compensation |
| | Group Art Unit: | 2858 |
| | Examiner: | To be assigned |
| | Our Docket: | 1505-0106 |

TRANSMITTAL OF PETITION FOR REVIVAL (37 C.F.R. § 1.137(b))

Please find for filing in connection with the above patent application the following documents:

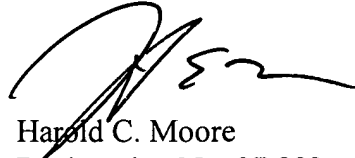
1. Petition for Revival (Form PTO/SB/64);
2. Check in the amount of \$2,230.00;
3. Response to Notice to File Missing Parts of Application;
4. Copy of Notice to File Missing Parts;
5. Copy of Notice of Abandonment Under 37 CFR 1.53;

6. Declaration and Power of Attorney Executed in Two Counterparts; and
7. One (1) return postcard.

Please charge any fee deficiency or credit any overpayment to Deposit Account
No. 13-0014.

Respectfully Submitted,

MAGINOT, MOORE & BECK



Harold C. Moore
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September 22, 2004

Enclosures